

Before the
Federal Communications Commission
Washington, DC 20554

FCC 07M-45

06695

In the Matter of

DAVID L. TITUS

Amateur Radio Operator and Licensee of
Amateur Radio Station KB7ILD

) EB Docket No. 07-13

) FRN No. 0002074797

) File No. EB-06-IH-5048

ORDER

Issued: November 7, 2007

Released: November 7, 2007

On October 10, 2007, "Enforcement Bureau's Motion for Clarification" was filed. There was no responsive pleading. The questions for which clarifications are sought were bench rulings that were memorialized in *Order* FCC 07M-38, released October 10, 2007.

Observations of the Presiding Judge based on "documents, interrogatories and motions to compel" were made as background to rulings made in the interest of clarification. Observations are not ultimate findings of fact and have no application outside *Order* FCC 07M-38.

The Bureau represents that Mr. Titus has "provided information about his current employer to the bureau." Any apparent conflict in direction given under *Order* FCC 07M-14 and *Order* FCC 07M-38 would now be moot.

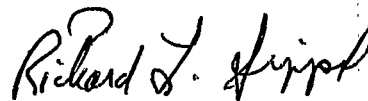
Order FCC 07M-38 directs Mr. Titus, by October 9, 2007, to "categorically state whether or not he intends to retain an expert witness to testify on his behalf." As of the Bureau's motion, Mr. Titus filed the statement. The failure to meet the October 9, 2007 date appears to have been caused, at least in part, by initial counsel's withdrawal from this case.¹ On October 22, 2007, Mr. Titus filed *pro se* a statement

¹ On October 26, 2007, a Notice of Appearance was filed by George L. Lyon, Jr. Esquire, as new counsel for Mr. Titus.

that "he does intend to retain an expert witness to testify on his behalf." Mr. Titus is in compliance with the Presiding Judge's instructions.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION²

A handwritten signature in black ink, reading "Richard L. Sippel". The signature is written in a cursive style with a large initial 'R' and 'S'.

Richard L. Sippel
Chief Administrative Law Judge

² Courtesy copies of this *Order* e-mailed to each counsel on date of issuance.